

REMARKS

This is in response to the Office Action dated January 19, 2007. Claims 31-44 have been canceled. Claims 1-30 are now pending.

The Examiner rejected Claims 1 - 5, 8 - 13, 19 - 27, 31, 34 - 37, and 40 - 44 under 35 U.S.C. 103(a) as being unpatentable over Eller et al. in view of either Kitano et al. The Applicant has amended the claims as above, and respectfully requests that the rejections be withdrawn.

Claim 1 has been amended as underlined below:

drawing outside air from outside the enclosed space, with a fan, through an intake opening to create an air stream and discharging the air stream through an outlet opening into the enclosed space;

.....

in response to the relative humidity sensed at the at least one sensing location, operating a temperature adjusting element located in the air stream between the intake opening and the outlet opening to raise ~~raising~~ a temperature of the outside air drawn in as required to lower the relative humidity of the air stream at the outlet opening such that the relative humidity of the inside air is substantially maintained at a desired relative humidity.

The Applicant respectfully submits that claim 1 as amended above defines over Kitano. Kitano discloses a temperature/humidity controller, and states at column 9, lines 27 - 40, that the air in the chamber is brought to a specified temperature of 23 degrees, and then a humidifier raises the humidity to 40%. Thus the air leaving the chamber must be at the specified temperature and humidity.

In contrast with Kitano and Eller, claim 1 as amended requires that the temperature of the outside air drawn in is raised to whatever temperature is required to lower the relative humidity of the air stream at the outlet opening to a desired level. Thus, in certain example non-limiting -

embodiments, only the humidity is controlled and the temperature cannot be controlled because the temperature determines the relative humidity.

Amended claim 1 makes clear that the temperature adjustment takes place in the air stream between the intake and outlet, and lowers the relative humidity of the air stream at the outlet opening so that the relative humidity of the inside air is substantially maintained at a desired relative humidity. Eller and Kitano fail to disclose or suggest this.

For the reasons explained above, the cited art fails to disclose or suggest the aforesaid underlined features of claim 1. The Section 103(a) rejection of claim 1 should be withdrawn.

Claim 10 requires “a temperature adjusting element located in the air stream between the intake and the outlet; wherein the intake is adapted to draw air from outside the enclosed space and the outlet is adapted to discharge the air stream into the enclosed space; a heating source connectable to the heat exchanger unit and operative to supply heat energy to the temperature adjusting element in response to directions from a heat controller; at least one humidity sensor operative to sense the relative humidity of the air in a sensing location and to send a humidity signal to the heat controller; wherein the heat controller is operative to receive the humidity signal and change the amount of heat energy supplied to the temperature adjusting element in response to the humidity signal.” The cited art fails to disclose or suggest the aforesaid features of claim 10.

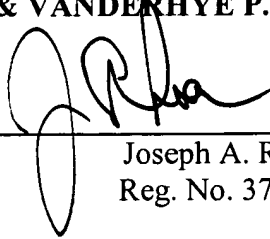
It is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

DANCEY et al
Appl. No. 10/751,455

Respectfully submitted,

NIXON & VANDERHYTE P.C.

By: _____

A handwritten signature in black ink, appearing to read 'J. Rhoa', written over a horizontal line.

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